

106 CMR: Department of Transitional Assistance

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Fair Information Practices
Enforcement

Chapter 108
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SECTION

108.000

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108.010: Sanctions

- (A) Any employee of the department found breaching the confidentiality of data subjects through violations of these regulations shall be subject to reprimand, suspension, dismissal, or other disciplinary actions by the department consistent with the rules and regulations of the Commonwealth governing its employees, and may be denied future contact with personal data and removed from holding responsibility.
- (B) Any agency which violates the terms of these regulations may be liable to individuals injured, pursuant to G.L. c. 214, § 3 B, as added by St. 1995, c. 776 § 3, and the legal action to enjoin such violations brought by the Attorney General.
- (C) Any entity other than any agency which violates a contract with an agency is subject to the penalty provisions of the contract and may forfeit the rights in contract with that of any other agency. If an action is brought against an agency under G.L. 214, § 3B, for any violation for which any entity other than the defendant agency may be liable, said entity may be impleaded as a third-party defendant. Any entity other than an agency which violates any provision of these regulations shall be subject to a review and an investigation by the appropriate contracting agency, which may lead to suspension of any contractual relationship and to legal sanctions brought by the Attorney General.

108.020: Monitoring and Enforcement

- (A) The Commissioner of Transitional Assistance or his designees, shall be responsible for the monitoring of compliance with these regulations in cooperation with the Department of the Attorney General pursuant to G.L. c. 214, § 3 B, as added by St. 1975, c. 776, § 3.
- (B) The Commissioner of Administration or his designee pursuant to G.L. c. 66A § 3, as added by St. 1975, c. 776, § 1, is responsible for approving these regulations.